

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

JOSE ENRIQUEZ RAMIREZ, et al.,

Plaintiffs,

v.

Case No. 12-C-210

GLK FOODS LLC, et al.,

Defendants.

ORDER

Plaintiffs filed the instant class action lawsuit against Defendants GLK Foods LLC and Ryan A. Downs, asserting violations under the Migrant and Seasonal Agricultural Worker Protection Act and claims of breach of contract and promissory estoppel. The court entered judgment in this case on September 29, 2017. Presently before the court is Defendants' motion to stay their deadline to appeal final entry of judgment on the merits. ECF No. 126.

Defendants request that the court extend their time to appeal until the court decides Plaintiffs' motion for attorneys' fees pursuant to Federal Rule of Civil Procedure 58. Rule 58 of the Federal Rules of Civil Procedure provides that "if a timely motion for attorney's fees is made under Rule 54(d)(2), the court may act before a notice of appeal has been filed and become effective to order that the motion have the same effect under Federal Rule of Appellate Procedure 4(a)(4) as a timely motion under Rule 59." Fed. R. Civ. P. 58(e). However, Plaintiffs have not filed a motion for attorneys' fees in this case, and their time to do so has expired. *See* Fed. R. Civ. P. 54(d)(2)(B) ("Unless a statute or a court order provides otherwise, the motion must . . . be filed no later than 14

days after the entry of judgment.”). Accordingly, Defendants’ motion to stay (ECF No. 126) is **DENIED**.

SO ORDERED this 23rd day of October, 2017.

s/ William C. Griesbach

William C. Griesbach, Chief Judge
United States District Court